

Platt **561956 157554** **5 February 2014** **TM/11/03020/OA**
Borough Green And
Long Mill

Proposal: Outline Application: Proposed new industrial building, associated works plus highway amendments to the T Junction of the access road and A25 Maidstone Road. Landscaping details to be reserved

Location: Phase 3 Platt Industrial Estate Maidstone Road Platt Sevenoaks Kent TN15 8JL

Applicant: Prime Securities Limited

1. Description:

- 1.1 Outline planning permission is sought for the erection of a new industrial building (use class B8 storage and B1 light industrial, in a 50/50 split with ancillary office space) on a currently vacant plot of land within Platt Industrial Estate. This would be located to the south of an existing building housing units 8, 9 & 10, at the far end of the industrial estate access road. Landscaping is the only matter reserved for subsequent consideration.
- 1.2 The building would have a gross external footprint of 33,700 sq ft with a total gross footprint to include the mezzanine, of 36,900 sq ft. It would measure 55.4m deep x 56.5m wide and would be 8.3m at the highest point.
- 1.3 The design would be common to that of most industrial buildings in that it would have a large footprint with mezzanine floor for ancillary office accommodation. This would measure 10m deep x 30.6m wide. This mezzanine floor would comprise a central staircase with a large open plan room either side. There would be toilet facilities at both ground and first floor level. The building would be constructed of grey/white panel cladding with brick plinth, and a shallow pitched roof of a twin curve design with central valley. The plans indicate a considerable number of photovoltaic cells to be located on this roof.
- 1.4 Detailing would include three roller shutter doors, double storey height glazed entrance feature, and ground and first floor windows to the front elevation. The roller shutter doors would be olive green to match window surrounds. There would also be two rear pedestrian access doors.
- 1.5 The proposal also includes associated works to include 53 parking spaces to the front, and loading, turning and manoeuvring space for HGV and other large vehicles. Refuse storage facilities would be within a secure fenced area to allow for storage of cardboard and pallets.
- 1.6 The proposed building is required to allow for the further expansion of the existing local business on site in the building directly to the north of the site. This company is Kentinental Engineering who supply steel photocopier cabinets and printer

stands for the office equipment sector. The company has grown and now requires additional manufacturing, storage and office space. The extension of the company by way of the proposed building would result in Kentinental Engineering employing an additional 35 members of staff. Intended hours of operation would be 07.00 - 16.00 hours. On certain occasions however there may be a double shift between 06.00 – 14.00 hours and 14.00 – 22.00 hours.

2. Reason for reporting to Committee:

- 2.1 Requests were received to call the application in for determination by committee from Councillor Sue Murray due to local interest, and from Cllr Mike Taylor due to highway concerns.

3. The Site:

- 3.1 The site lies within the Metropolitan Green Belt to the north of Platt on the northern side of the railway line and the A25 Maidstone Road. It is part of Phase 3 Platt Industrial Estate and, in addition to its Green Belt status, the site is allocated in the Development Land Allocations DPD as a 'Major Developed Site in the Green Belt' (policy M1), 'Other Employment Land' (policy E2), and 'Vacant Sites Allocated for Employment Development' (policy E3). This will be discussed later in the report.
- 3.2 The application site is located at the south western corner of the industrial estate, at the end of the existing access road. To the east is Platt Industrial Estate and to the west open countryside. A group Tree Preservation Order covers trees along the western boundary, and the northern boundary is the access road which separates the site from the existing Kentinental Engineering units. To the south is another vacant site that is the subject of a currently invalid application TM/12/01001/FL, which is for change of use of land to open storage (B8 Storage or distribution), resurfacing of site and erection of fencing and entrance gate.
- 3.3 The access road, which crosses over the railway line, serves the whole of the industrial estate and also a couple of residential properties to the east of this road. Surrounding industrial buildings are a mix of brickwork and metal cladding of typical light industrial scale in height. The application site is currently overgrown with no mature trees, just overgrown shrubs.

4. Planning History:

TM/71/10594/OLD Refuse 20 January 1971

The construction of an industrial estate road.

TM/76/11030/FUL Refuse 5 April 1976

4 No. warehouse units, ancillary offices and site works.

TM/77/11240/FUL grant with conditions 21 June 1977

Speculative development - warehouse and ancillary offices.

TM/78/11046/FUL grant with conditions 9 May 1978

11 Warehouse units.

TM/79/10125/FUL grant with conditions 30 November 1979

The erection of six warehousing units with ancillary office accommodation and construction of vehicular parking space, Phase III (alternative details to planning permission TM/77/52 and TM/77/1032.

TM/98/00086/OA Grant With Conditions 3 November 1998

erection of six warehouse units with ancillary office accommodation and vehicular parking spaces

TM/06/00966/OA Refuse 27 March 2008

Outline Application: Erection of 6 no. warehouse units with ancillary office accommodation and vehicular parking spaces

TM/12/01001/FL
(adjacent site to
the south)

Change of use of land to open storage (B8 Storage or distribution), resurfacing of site and erection of fencing and entrance gate

5. Consultees:

- 5.1 KCC Highways: No objection, subject to requested informative regarding a S278 agreement.
- 5.2 KCC Heritage: The site lies within an area which has revealed evidence of Roman activity. Brickworks are noted to the north and further quarrying developed to the east. There is also a medieval or earlier farm, Bassetts Farm, known just to the east and associated remains may extend into the application site. A condition is requested.
- 5.3 KCC PROW Officer: PROW MR251 footpath runs up the eastern boundary and should affect the application. KCC has an interest in ensuring the footpath is maintained to a suitable standard for pedestrians. Maintenance to the higher level required for continuous motorised vehicular access would be the responsibility of the relevant landowners.

- 5.4 Southern Water: No objections - a number of informatives requested.
- 5.5 PC: No objection in principle to the application which would create more employment in the area, but they oppose any future development that will exacerbate the existing problems on this trunk route until alternatives are offered, and have general concerns about increases in traffic movements. There are also applications pending for an increased storage area and KCC consideration for the expansion of Green Sand Pits, all of which will lead to a traffic increase. The single entrance from the A25 to the estate is congested and dangerous. The proposed new school on the adjacent site will create more access problems. Concern was raised regarding the Air Quality problems on the A25 corridor and the traffic associated with the site.
- 5.6 EA: No objection in principle, however the applicant may be required to apply for other consents directly from the EA. These would include water abstraction or discharging to a stream. Conditions and informatives are requested.
- 5.7 NE: No objection. Standing advice regarding protected species such as Bats, Great Crested Newts and Reptiles.
- 5.8 Private Reps: 55/0X/5R/0S + site notice. The following objections have been raised to the proposal:
- Current noise and pollution levels generated by HGVs and other vehicles is high and the proposal will further exacerbate this, and increase dust and dirt to neighbouring properties and cars.
 - Traffic levels on the A25 are already high and HGV movements in and out of the industrial estate also cause vibration and future potential damage to neighbouring property.
 - Current traffic movements associated with the industrial estate continue during night time hours, with some lorries leaving engines running causing disturbance. The proposal will make this poor situation worse.
 - Increased traffic movements means increased risk of to pedestrians, particularly pupils visiting the school in Platt.
 - The proposal will add to poor air quality levels and therefore increase health problems for those living nearby and pupils using the school field adjacent. Borough Green is already a recognized Air Quality Management Area. The future school on the adjacent site will experience air pollution due to the increased traffic movements, which is a health risk to children and teachers.

- Junction improvements would reduce parking spaces available for Whatcote Cottages in an area with no alternative parking for nearby dwellings. The improvements would also reduce the available pavement therefore increased risk to pedestrians and bringing pollution levels closer to residential properties.
- Junction improvements will restrict access to neighbouring properties.
- The access to the site should be relocated to come from the M26.
- Increased employees on site will lead to increased traffic using the access road which is already congested particularly at the point of the bridge over the railway line. The speed limit of 10mph is already breached on many occasions leading to danger for pedestrians especially in the winter.
- Current vehicle movements have resulted in damage to property.
- A grant for working hours until 22.00 could lead to requests from other companies for similar, thereby increasing traffic movements in the evening.
- 53 proposed parking spaces is inadequate for the increased number of employees and will lead to on street parking.
- Harm to wildlife which is already reduced following the creation of the school fields adjacent to the west.
- Residential quality of life in this area is already blighted, the proposal would make this worse. Consideration of the proposal should include all future and pending proposals for development in the area in terms of the impact on residents.
- Increased volume of traffic already leads to parking problems within the estate which restricts deliveries to other units. Also concern as to whether the bridge can sustain the increased use.

6. Determining Issues:

- 6.1 The application site lies within a number of allocations in terms of planning policy. The two main issues to therefore consider in terms of the principle of the proposed development are the location within the Metropolitan Green Belt and the allocation for employment development. These allocations were made prior to current NPPF policy and, as such, this change in context arising from revised Government policy must also be taken into account.
- 6.2 Current Green Belt policy in the NPPF, which is reflected in policy CP3 of the Core Strategy, seeks to restrict inappropriate development within the Green Belt because it would be harmful by definition. Inappropriate development can, therefore, only be permitted in very special circumstances. However the policy

does allow for certain forms of development which are not deemed to be inappropriate and these include *“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”*. The site is not occupied by any existing structure, as is required to fit the definition of previously developed land in the NPPF Annex 2. As such the development of this Green Belt site, under Green Belt policies alone, would be considered inappropriate development. The very special circumstances discussed below, with regard to this application, relate to the expansion of the long established local business.

- 6.3 The proposal is to facilitate the expansion of an existing local business and thus create new employment opportunities within the local area. This is something that is considered in the NPPF which encourages local authorities to promote new development and economic growth. Kentinental Engineering has confirmed there is no other suitable site or location within the local area capable of accommodating their business expansion. The current premises are within the Green Belt, and Platt Industrial Estate is one of the few major employment sites within a rural Green Belt location and also allocated for employment use.
- 6.4 However, the above conclusion that the development is inappropriate by definition cannot sit alone when considering the above very special circumstances and also other land allocations that are taken into account, as discussed below.
- 6.5 Although within the Green Belt, the site is also allocated in the DLADPD as a major developed site within the Green Belt, under policy M1. This allows for the infill development provided that:-
- It does not lead to any greater impact on the openness of the Green Belt and the purposes of including land within it;
 - It leads to an overall improvement in the environment and does not harm the landscape setting and appropriately integrates with its surroundings;
 - Any changes in traffic can be satisfactorily accommodated without conflict with the rural amenity, without prejudice to highway safety and bring beneficial changes if possible;
 - It does not exceed the height of existing buildings;
 - It does not result in an extension to the currently developed extent of the site;
- 6.6 This policy also specifically refers to Platt Industrial Estate, requiring any development to protect trees on site, achieve a satisfactory noise climate having regard to the proximity of the railway line, minimise conflicts with mineral

operations in the area, investigate and remediate any land contamination, include any necessary mitigation following archaeological assessment, and include any necessary improvement to the access.

- 6.7 Policy E2 of the DLADPD refers to Platt Industrial Estate in its list of 'Other Employment Land'. New development is considered suitable on these sites provided that it does not create any unacceptable impact on residential amenity by virtue of noise, dust, smell, vibration or other emissions. It should also not give rise to visual intrusion or unacceptable traffic generation. The proposed B1 light industrial and B8 storage use would fall within the uses stated as acceptable for this site under this policy.
- 6.8 Policy E3 of the DLADPD identifies the site as a vacant site allocated for employment development. It refers to the opportunities that will arise from such sites for redevelopment or intensification or use on existing employment sites.
- 6.9 Paragraph 28 of the NPPF relates to '*Supporting a Prosperous Rural Economy*' and confirms the commitment to supporting economic growth in rural areas to create jobs and prosperity. It continues that there should be support for the sustainable growth and expansion of all types of business and enterprise in rural areas through the conversion of existing buildings and well designed new buildings.
- 6.10 The proposal represents the introduction of new built form within the Green Belt. However, in light of policies E3 and M1 of the DLADPD, I consider that in light of these land allocations and the industrial nature of the *immediate* surroundings, which are also within the Green Belt and these land allocations, the resulting impact can be considered acceptable in that it would assist the expansion of a successful local firm and this local economic benefit also amounts to very special circumstances.
- 6.11 The proposed building is confirmed in the supporting statement as being no higher than other buildings in the estate. The proposed maximum height of 8.3m would appear reasonable for this type of building and the estate surroundings, as are the proposed materials. The building would be of a fairly utilitarian design but this, along with the scale and height, would correspond with existing surrounding buildings. The heavy screening along the western boundary, to be further supplemented, and the proposed landscaping to be approved under reserved matters which would soften the parking area to the front, help to accommodate the proposal within the landscape with minimal visual impact. Views of the site from the neighbouring AONB are restricted due to the topography of the area.
- 6.12 Having regard to the above considerations, I am of the opinion that the proposal would conform with the relevant policy criteria and thus would not harm the character of the landscape. It therefore accords with the aims of policies E2, E3 and M1 of the DLADPD, and relevant paragraphs in the NPPF. It cannot be considered appropriate development under the Green Belt paragraphs of the

NPPF; however, given the special circumstances relating the expansion of the local business and the associated employment creation, and the compliance with other still relevant local plan policies, I consider that on balance the proposal is acceptable.

- 6.13 In highway terms, the proposed junction improvements at the access to the A25 are considered to be beneficial in terms of highway safety and therefore in line with policy M1 of the DLADPD. KCC has confirmed that these access improvements to allow for HGVs to turn into and out of the access road are acceptable and indeed represent an improvement to highway safety for the whole of the site. This confirmation of no objection also recognises that the applicant should enter into a S278 agreement with KCC prior to execution of the works within the highway.
- 6.14 As part of the application, transport assessments were carried out in September 2011 and July 2013. The results of these assessments have been considered by KCC and found to be acceptable and a basis for designing the works indicated in 6.13 above.
- 6.15 During the course of the application it was brought to my attention that the KCC Highways Officer had raised objection to the application of a Goods Vehicle Operator licence for another unit on the estate. Although this is not directly linked to the proposal, it had been raised as a possible conflict with the KCC Highway Officer's comments stating no objection to the proposal. Since this objection to the licence, and following discussions with that operator, KCC Highways has now withdrawn its objection to the granting of the Goods Vehicle Operator licence. There is now therefore now no conflict with the comments supporting the junction improvements from the Highways Authority.
- 6.16 The proposal includes the provision of 53 parking spaces to the front of the building. This hard surfaced forecourt includes turning and manoeuvring space for HGVs and other associated vehicles. This is a provision of 1 space per 65sqm. The proposed increase in employees would be 35 above the existing 65, and so the parking provision is considered to be acceptable.
- 6.17 The proposal would result in increased vehicular movements along the access road and using the junction. There is much concern amongst residents with regard to highway safety and harm to amenity due to increased noise, dust and vibration. KCC is satisfied that the access road and improved junction onto A25 can accommodate the additional traffic generated by the proposal, and that the junction improvements will successfully facilitate the overall use of the access point with the A25. A consequence of these improvements is, however, the reduction in the footway/verge area to the front of the houses closest to the junction point.

- 6.18 The improvements will reduce the potential for conflict between HGVs turning in and out of the access and cars using the A25, and also pedestrians. This in turn improves highway safety at this junction. The related impact on neighbouring amenity will be discussed below.
- 6.19 The potential traffic increase from other developments and existing uses in the area has been considered, to ensure that the cumulative impact to the highway through increased traffic generation is taken into account. Studies of traffic associated with the school demonstrates there was no marked peak in traffic movements during the afternoon, suggesting a high proportion of school related trips are made on foot. Generally school car-based traffic is outside the later general afternoon peak. The Highways Authority has commented that the A25 is actually below its link capacity at the point and would not expect the proposed development to materially alter this position.
- 6.20 The proposed building, in itself, would have no detrimental impact on the residential amenities of the nearest properties, in that its location is some distance from those properties. The resulting traffic movements and associated increased use of the access road which runs adjacent to a number of dwellings is however a point of concern for residents, and a consideration to be taken into account. Neighbouring residents report current unsatisfactory levels of noise particularly during the evening and night-time hours. This proposal, in itself, does not however result in late night traffic movements as maximum hours of operation applied for are between 06.00 – 22.00 hours (and can be subject to control by condition).
- 6.21 To answer these concerns and understand the actual impact on the amenities of these residences closest to the access road, including the rearrangement of the easterly junction radius on to A25, we asked that a noise assessment be commissioned by the applicant. This tests the impact of not only the traffic associated with this proposal but also the effect of the junction rearrangements in terms of the historic traffic from the site. The results will be assessed to take into account not only the traffic associated with this development but also the fact that ALL east bound traffic throughout the day will be closer to the properties at Whatcote Cottages. The final analysis of the findings is currently taking place and this will be discussed in a supplementary report.
- 6.22 The proposal would not result in harm to any trees. There are no trees worthy of retention on the site of the proposed building, just overgrown shrubs. There is a group TPO covering trees along the western boundary which is to be supplemented with additional planting as part of the proposal. The submitted tree survey was updated in accordance with the new British Standard and confirms the removal of two Oak trees, T7 and T11 is justified. The proposed supplementary planting will further enhance this boundary. Appropriate conditions would be added to protect these trees during construction.

- 6.23 The proposed plans include provision for a waste and refuse area to be fenced. This would be to the front corner of the parking area. A condition to secure details of this will be added to any grant of permission.
- 6.24 As part of the application, a habitat survey was conducted in January 2012 and was then updated in November 2013. The findings confirmed that the site supported a 'Low' population of common lizard and adder, but an 'Exceptional' population of slow worm. The site is also considered a Key Reptile Site. In response to these findings, measures are recommended to ensure the welfare of reptiles on site throughout the development. These would need to be implemented prior to the start of works and the appropriate condition would secure this. These measures would be the need to identify a receptor site and implement measures to relocate reptiles from the site.
- 6.25 The application is accompanied by a desktop contamination assessment. It is however recommended that the appropriate condition be attached to any grant of permission to secure relevant on site investigations prior to development, to further investigate potential contaminated land risks. It must be remembered that the design of any necessary remediation is to make the site fit for its end purpose (in this case industrial development) and that it should not adversely affect ground water.
- 6.26 As per policy M1 of the DLADPD the site is identified as being in close proximity to the railway line which is a potential source of noise pollution. The site is located approximately 58m from the railway line. There is no objection in terms of noise pollution that may be experienced by occupants of the new building. Due to the intended use of the proposed development, I do not consider the noise impact from the railway line to be harmful.
- 6.27 Policy M1 also requires any development on the site to minimise any potential conflict with mineral operations within the vicinity (i.e. noise and dust). The proposal is not, in my opinion, likely to result in conflict with the existing mineral workings in the area, in terms of noise and dust. As mentioned the proposed use is light industrial and storage. The associated traffic movements would represent a 2.2% increase above existing use of the access road, as discussed above, and the noise impact of this is to be discussed in a future supplementary report.

7. Recommendation:

- 7.1 The Recommendation and analysis of the final aspects of the noise study will be set out in a supplementary report.

Contact: Holly Pitcher